6 2004 5. Under the Pap	erwork Reduction Act of 1995, n	o persons are required	U.S. Patent and Trad	PTO/SB/21 (0 ed for use through 07/31/2006. OMB 0651-0031 lemark Office; U.S. DEPARTMENT OF COMME ormation unless it displays a valid OMB control nu
EMART			Application Number	09/636,530
TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Filing Date	August 10, 2000	
			First Named Inventor	Thomas L. CANTOR
		r initial filing)	Art Unit	1646
			Examiner Name	D. Jiang
Total Numbe	er of Pages in This Submis	sion 42	Attorney Docket Number	532212000300
	EN	ICLOSURES	(Check all that apply	/)
Fee Trans	mittal Form	Drawing(s)		After Allowance Communication
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences
X Amendment/Reply including Exhibit A, B & C (38 pages)		Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final		Petition to Convert to a Provisional Application		Proprietary Information
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter
Extension of Time Request		Terminal Disclaimer		X Other Enclosure(s) (please Identify below):
Express Abandonment Request		Request for Refund		Supplemental Declaration for Patent Application (3 pages)
Information Disclosure Statement		CD, Number of CD(s)		Return Receipt Postcard
Certified Copy of Priority Document(s)		Landscape Table on CD		
Reply to Missing Parts/ Incomplete Application		Remarks		
Reply to Missing Parts under 37 CFR 1.52 or 1.53		CUSTOMER NO. 25225		
	SIGNAT	URE OF APPLICA	ANT, ATTORNEY, OR	AGENT
Firm Name	MORRISON & FOERSTER LLP			
Signature	U.C.			
Printed name	Peng Chen			
Date	December 13, 2004 Reg. No. 43,543			
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: December 3, 2004 Signature: Dura Blevins)

Docket No.: 532212000300 (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Thomas L. CANTOR

Application No.: 09/636,530

Filed: August 10, 2000

Confirmation No.: 7117

Art Unit: 1646

For: PARATHYROID HORMONE ANTAGONISTS OR MODULATORS AND USES THEREFOR Examiner: D. Jiang

## **AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## **INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated September 13, 2004, for which a response is due on December 13, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested. Enclosed is a new Declaration of Power of Attorney that specifically claims priority to the provisional U.S. Patent Application No. 60/224,447, filed on August 10, 2000 under 35 U.S. C. 119(e). Also enclosed are the following exhibits:

Exhibit A: Gardella et al., Endocrinology <u>132</u>:2024-30 (1993);

Exhibit B: Pellegrini et al., Biochemistry 37:12737-43 (1998); and

Exhibit C: Barbier et al., Biochemistry 39:14522-30 (2000).

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Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.